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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/377,611 | 08/19/1999 | MARCO LARA | ATV-006 | 8101 |

21323 7590 12/19/2002

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EXAMINER

SALAD, ABDULLAHI ELMI

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2157

DATE MAILED: 12/19/2002

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/377,611

Applicant(s)

LARA ET AL.1

Examiner

Salad E Abdullahi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-13,15 and 19-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-13,15 and 19-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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Continued Prosecution Application

1. The request filed on 10/18/02 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/377,611 is acceptable and a CPA has been established. An action on the CPA follows.
2. Applicant's arguments filled on 10/18/2002 with regard to claims 1, 2, 4-13, 15, and 19-26, have been fully considered but they are moot in view new ground of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Christie et al U.S. Patent No. 6,182,117, in view of Tamer et al., U.S. Patent No. 6,385,626.

As per claims 1 and 24, Christie et al discloses a system for notifying a computer of changes to a source file (replicating changes in a source file set i.e the local site A database on a destination file system), comprising the steps of:

- identifying changes in the source file set (identifying changes made to objects in local site's database (see col. 3, lines 9-65 and col. 5, lines 13-20);
- storing the identified changes in a modification list (storing updates in an event table), (see col. 5, lines 13-37), comprising unique identifiers (UID) (see col. 3, lines 47-65);

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- transmitting the modification list to an agent having access to a destination file stem (see col. 5, lines 13-37); and
- receiving a response from the computer indicating that the identified changes are installed (col. 6, lines 24-30 and col. 19, lines 21-27).

Christie et al., is silent in that the source file set to contain in master source file set on a master computer.

Nonetheless, the source file set to contain in master source file set on a master computer or a central computer would have been an obvious modification to Christie's system as evidenced by Tamer et al. Tamer et al., in an analogous art disclose a centralized computing system for propagating a locally changed files on a local database on a master or central computer to a remote computing system (col. 20, lines 15-27). Furthermore, Christie's system include a central file server to store local copy of the replicated database. Hence, one skilled in the art presented with teaching of Tamar's centralized data distribution system would have been motivated to use Christie's central file server as a master computer for replicating locally changed files to remote computing system, because the centralized systems have the advantages of allowing easy management and maintenance.

As per the computer system includes a web cache system. Although, Christie et al, and Tamer et al., are silent the computer system includes a web cache system.

However, a web cache system is well known system, part of web service system. Furthermore, Christie et al discloses replicating data between computer sites which are located remotely from

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each other indicating this replication process can obviously be utilized in web cache system in order to replicate data from a particular web site to a web caching servers closer to the client computers. Although, the system of Christie et al, and Tamer et al does not call the computer system a web cache server system it would have been obvious to one having ordinary skill in art at the time of the invention to utilize the replicating process taught by system of Christie et al, and Tamer et al., in a web cache server system, because it is a design choice.

In considering claims 2 and 25, Christie et al., discloses a system further comprising:

transmitting the copy of a changed file of the master file set to the agent (see col. 3, lines 11-24).

In considering claims 4-8 and 26, Christie et al discloses a system, wherein the identifying step comprises the steps of:

inspecting a set of files, comparing the set of files to an earlier-recorded set (see col. 3, line 65 to col. 4, line 10, and col. 5, lines 13-37);

installing a device driver to perform file operations and recording, by the device driver, changes to the source file set (see col. 10, lines 16-20); and

receiving a manifest (table) describing changes to the source file set (see col. 3, line 65 to col. 4, line 10, and col. 5, lines 13-37).

In considering claims 9-13, Christie et al discloses s system further comprising the step of calling a script of user configurable instruction (see col. 3, lines 13-24 and col. 9, lines 44-53).

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In considering claim 15, Christie et al., discloses a system, wherein the transmitting step comprises multi casting(see col. 5, lines 21-37).

In considering claim 19, Christie et al., disclose a computer system, composing:

a manager (agent manager) for managing the computer system(see fig. 3a, element 320);

Host (i.e. site A) comprising central file server for receiving requests (see col. 3, lines 9-24);

a content distributor (replicator 308 which act as server agent) in communication with the host and the manger, the content distributor for providing notification of changes to a source file (see col. 3, lines 9-65 and col. 5, lines 13-20);and

receiving a response from the computer indicating that the identified changes are installed (col. 6, lines 24-30 and col. 19, lines 21-27).

Christie et al., is silent the source file set to contain in master source file set on a master computer.

Nonetheless, the source file set to contain in master source file set on a master computer would have been obvious if it is not inherent as evidenced by Tamer et al . Tamer et al., in an analogous art disclose a system for identifying changes to a local master source file set on a master computer and propagating the changes to a number of remote computer systems (col. 20, lines 15-27). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify Christie by including the changes in the source file set in a master source file on a master computer as taught by Tamer et al., such that by identifying any changed

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information and propagating only the changed information (rather than the whole database) to the remote computer systems, the databases on the remote computer systems can be quickly and conveniently updated [col. 20, lines 23-27].

In considering claim 20, Christie et al., discloses a system further comprising a traffic manager (moderator 314) for directing requests (see col. 10, lines 34-53).

In considering claims 21-23, Christie et al discloses substantial features of the claimed invention as discussed above with respect to claim 19, including:

- identifying changes in the source file set (identifying changes made to objects in local site's database), (see col. 3, lines 9-65 and col. 5, lines 13-20);
- storing the identified changes in a modification list (storing updates in an event table), (see col. 5, lines 13-37), comprising unique identifiers (UID) (see col. 3, lines 47-65);
- transmitting the modification list to an agent (340) having access to a destination file stem (see col. 5, lines 13-37); and
- receiving a response from the computer indicating that the identified changes are installed (col. 6, lines 24-30 and col. 19, lines 21-27).

Christie et al., is silent the source file set to contain in master source file set on a master computer.

Nonetheless, the source file set to contain in master source file set on a master computer would have been obvious if it is not inherent as evidenced by Tamer et al . Tamer et al., in an analogous art disclose a system for identifying changes to a local master source file set on a master

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computer and propagating the changes to a number of remote computer systems (col. 20, lines 15-27). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to modify Christie by including the changes in the source file set in a master source file on a master computer as taught by Tamer et al., such that by identifying any changed information and propagating only the changed information (rather than the whole database) to the remote computer systems, the databases on the remote computer systems can be quickly and conveniently updated [col. 20, lines 23-27].

CONCLUSION

5. The prior art made of record and relied upon is considered pertinent to the applicants disclosure.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abdullahi E. Salad** whose telephone number is **(703) 308-8441**. The examiner can normally be reached on Monday to Friday from **8:30 AM to 5:00 PM**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervise, **Glen Burgess**, can be reached at **(703)305-4792**. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is **(703)305-3900**.

Any response to this action should mailed to:

Box AF

Commissioner of Patents and Trademarks

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Washington, DC 20231

or faxed to:


(703) 746-7238, (after final communications)

(703) 746-7239, (Official communications)

(703) 746-7240, (Non-Official/Draft).

AS

12/4/2002



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